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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PANKAJ SHARMA

Plaintiff,

v.

VIVIAN LIU,

Defendant.

CIVIL ACTION NO.:
20-CV-20268 (MCA)(AME)

ANSWER

Defendant VIVIAN LIU, by way of Answer to the Plaintiff's Amended Complaint,
hereby states as follows:

PARTIES

1. The Answering defendant lacks sufficient knowledge to either admit or deny allegation one of the Amended Complaint.
2. The Answering defendant admits the allegations contained in paragraph two of the Amended Complaint.
3. The Answering defendant denies the allegations contained in paragraph three of the Amended Complaint.

4. The Answering defendant denies the allegations contained in paragraph four of the Amended Complaint.

JURISDICTION AND VENUE

5. The Answering defendant admits the allegations contained in paragraph five of the Amended Complaint.

6. The Answering defendant denies the allegations contained in paragraph six of the Amended Complaint.

7. The Answering defendant denies the allegations contained in paragraph seven of the Amended Complaint.

FACTUAL ALLEGATIONS

8. The Answering defendant admits the allegations contained in paragraph eight of the Amended Complaint.

9. The Answering defendant denies the allegations contained in paragraph nine of the Amended Complaint.

10. The Answering defendant denies the allegations contained in paragraph ten of the Amended Complaint.

11. The Answering defendant denies the allegations contained in paragraph eleven of the Amended Complaint.

12. The Answering defendant denies the allegations contained in paragraph twelve of the Amended Complaint.

13. The Answering defendant denies the allegations contained in paragraph thirteen of the Amended Complaint.

14. The Answering defendant denies the allegations contained in paragraph fourteen of the Amended Complaint.

15. The Answering defendant denies the allegations contained in paragraph fifteen of the Amended Complaint.

16. The Answering defendant denies the allegations contained in paragraph sixteen of the Amended Complaint.

17. The Answering defendant denies the allegations contained in paragraph seventeen of the Amended Complaint.

18. The Answering defendant denies the allegations contained in paragraph eighteen of the Amended Complaint.

19. The Answering defendant denies the allegations contained in paragraph nineteen of the Amended Complaint.

20. The Answering defendant denies the allegations contained in paragraph twenty of the Amended Complaint.

21. The Answering defendant denies the allegations contained in paragraph twenty-one of the Amended Complaint.

22. The Answering defendant denies the allegations contained in paragraph twenty-two of the Amended Complaint.

23. The Answering defendant denies the allegations contained in paragraph twenty-three of the Amended Complaint.

24. The Answering defendant denies the allegations contained in paragraph twenty-four of the Amended Complaint.

25. The Answering defendant denies the allegations contained in paragraph twenty-five of the Amended Complaint.

26. The Answering defendant admits the allegations contained in paragraph twenty-six of the Amended Complaint.

27. The Answering defendant lacks sufficient knowledge to either admit or deny allegation twenty-seven of the Amended Complaint.

28. The Answering defendant denies the allegations contained in paragraph twenty-eight of the Amended Complaint.

29. The Answering defendant denies the allegations contained in paragraph twenty-nine of the Amended Complaint.

30. The Answering defendant denies the allegations contained in paragraph thirty of the Amended Complaint.

31. The Answering defendant denies the allegations contained in paragraph thirty-one of the Amended Complaint.

32. The Answering defendant denies the allegations contained in paragraph thirty-two of the Amended Complaint.

33. The Answering defendant admits the allegations contained in paragraph thirty-three of the Amended Complaint.

34. The Answering defendant denies the allegations contained in paragraph thirty-four of the Amended Complaint.

35. The Answering defendant denies the allegations contained in paragraph thirty-five of the Amended Complaint.

36. The Answering defendant denies the allegations contained in paragraph thirty-six of the Amended Complaint.

37. The Answering defendant denies the allegations contained in paragraph thirty-seven of the Amended Complaint.

38. The Answering defendant denies the allegations contained in paragraph thirty-eight of the Amended Complaint.

39. The Answering defendant denies the allegations contained in paragraph thirty-nine of the Amended Complaint.

40. The Answering defendant lacks sufficient knowledge to either admit or deny allegation forty of the Amended Complaint.

41. The Answering defendant lacks sufficient knowledge to either admit or deny allegation forty-one of the Amended Complaint.

42. The Answering defendant denies the allegations contained in paragraph forty-two of the Amended Complaint.

43. The Answering defendant lacks sufficient knowledge to either admit or deny allegation forty-three of the Amended Complaint.

44. The Answering defendant denies the allegations contained in paragraph forty-four of the Amended Complaint.

45. The Answering defendant denies the allegations contained in paragraph forty-five of the Amended Complaint.

46. The Answering defendant denies the allegations contained in paragraph forty-six of the Amended Complaint.

47. The Answering defendant denies the allegations contained in paragraph forty-seven of the Amended Complaint.

COUNT I - DEFAMATION

48. The Answering defendant repeats and re-alleges each and every one of her answers to all of the preceding allegations contained in the Amended Complaint as if set forth fully and at length herein.

49. The Answering defendant denies the allegations contained in paragraph forty-nine of the Amended Complaint.

50. The Answering defendant denies the allegations contained in paragraph fifty of the Amended Complaint.

51. The Answering defendant denies the allegations contained in paragraph fifty-one of the Amended Complaint.

COUNT II – FALSE LIGHT

52. The Answering defendant repeats and re-alleges each and every one of her answers to all of the preceding allegations contained in the Amended Complaint as if set forth fully and at length herein.

53. The Answering defendant denies the allegations contained in paragraph fifty-three of the Amended Complaint.

54. The Answering defendant denies the allegations contained in paragraph fifty-four of the Amended Complaint.

55. The Answering defendant denies the allegations contained in paragraph fifty-five of the Amended Complaint.

56. The Answering defendant denies the allegations contained in paragraph fifty-six of the Amended Complaint.

PRAYER FOR RELIEF

WHEREFORE, the Answering defendant Vivian Liu demands that judgment be entered in her favor dismissing any and all claims asserted against her, awarding attorneys fees, interest, cost of suit and any other remedy the Court deems just and appropriate.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Amended Complaint, in whole or in part, fails to state a cause of action upon which relief can be granted as a matter of fact and/or law.

SECOND AFFIRMATIVE DEFENSE

The alleged defamatory statements are true.

THIRD AFFIRMATIVE DEFENSE

The alleged defamatory statements are privileged or protected by one or more immunities, including, but not limited to, those provided pursuant to the Constitution of the United States, the litigation privilege, the fair reporting privilege, the common interest privilege, and/or a qualified privilege stemming from the defendant's legal or moral duty in furtherance of public policy.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff's claim is barred because his damages, if any, were caused by his own actions or the acts of third persons, for which defendant is not responsible.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff is not entitled to punitive damages as a matter of law.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff is not entitled to attorneys' fees as a matter of law.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff cannot sufficiently allege defamation *per se* and has insufficient proof of pecuniary damages or special damages.

EIGHTH AFFIRMATIVE DEFENSE

The Court lacks personal jurisdiction over defendant.

NINTH AFFIRMATIVE DEFENSE

The defendant presently has insufficient knowledge or information upon which to form a belief as to whether she may have additional, yet unstated, defenses. As such, defendant reserves the right to assert additional defenses in the event discovery indicates that such defenses are warranted.

DEMAND FOR DAMAGES

Attorney for the plaintiff is hereby required to furnish the undersigned within five (5) days with a written statement of the amount of damages claimed in this action.

JURY DEMAND

The Answering defendant hereby demands a trial by jury on all issues so triable.

DESIGNATION OF TRIAL COUNSEL

Robert M. Fantone, Esq. is hereby designated as trial counsel on behalf of the Answering defendant.

CERTIFICATION PURSUANT TO LOCAL RULE 11.2

Pursuant to Local Rule 11.2, I hereby certify that the matter in controversy is not the subject of any other action pending in any other court or arbitration proceeding. To the best of my knowledge and belief, no other parties should be joined in the above action.

MANCILLA & FANTONE, LLP
Attorneys for the Defendant Vivian Liu

By: /s/ Robert Fantone
Robert M. Fantone, Esq.

Dated: December 12, 2021

CERTIFICATE OF SERVICE

Pursuant to Local Rule 14(b)(1), the undersigned certifies that this document was served on all parties of record in accordance with Federal Rule of Civil Procedure (5)(b)(E) by filing it on the Court's electronic filing system (ECF) on December 12, 2021.


Robert Fantone, Esq.